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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/590,339

08/23/2006

Hidehiko Shin

2006\_1397A

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7590

08/18/2011

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EXAMINER

PHANTANA ANGKOOK, DAVID

ART UNIT

PAPER NUMBER

2175

NOTIFICATION DATE

DELIVERY MODE

08/18/2011

ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ddalecki@wenderoth.com

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### Office Action Summary

**Application No.**

10/590,339

**Applicant(s)**

SHIN ET AL.

**Examiner**

David Phantana-angkool

**Art Unit**

2175

**Period for Reply** -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 March 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 18-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 5192011.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. This action is responsive to the following communications: RCE filed on April 22<sup>nd</sup>, 2011.
2. Claims 18-23 are pending claims.
3. Applicants amended claims 18-23.

#### ***Claim Objections***

4. Claim 1 is objected to because of the following informalities:  
Claim 1 contains a clerical error "*said conversation section*". From reviewing the limitations, the Office determines the applicant intended to recite "*said conversion section*" instead.  
Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

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7. **Claim 18-20 and 22-23 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jouet et al., US# 7,030,890 (hereinafter Jouet) in view of Conley et al., US PG PUB# 2003/0011633 A1 (hereinafter Conley).**

**As for independent claim 18:**

Jouet shows a display process apparatus comprising:

- *an application* (see "widget", 4:28-32);
- *a device resource which is another application* (see "look object" which is linked to an application and can be invoked to draw components of GUI, 4:35-53);
- *a display screen* (4:17-20);
- *a GUI player configured to display, on said display screen, a GUI content used by said application* (see "widget" in 4: 27-38);
- *a conversion section configured to, by using a conversion rule, convert from a screen event related to the GUI content displayed on said display screen by said GUI player into a device event interpretable for said device resource, the conversion rule associating the screen event related to the GUI content with the device event interpretable for said device resource* (65: 54-67, 66:48-62 Jouet teaches a look class that defines the appearance of an object. The Look class associated with the widget, and defines the appearance of a plurality of objects),
- *the application processes the screen event related to said GUI player in accordance with the result of interpretation reported from said device resource* (6:47-58 and 29:31-38, see control operation of widget).

While Jouet shows a display apparatus and a GUI player configured to display, Jouet does not specifically show wherein the device resource reports, to said application, a result of interpretation executed based on the device event converted by said conversation section. However in the same field of endeavor Conley teaches wherein the device resource reports, to said application, a result of interpretation executed based on the device event converted by said conversation section in Para. 0019, 0020, and 029-0036. In the cited section Conley teaches a XML data providing UI presentation, a style sheet, which displays each UI control. Multiple devices may use the XML to display a customized UI.

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Both Jouet and Conley teach displaying GUI content for various types of display. Accordingly it would have been obvious to a skilled artisan at the time of the invention was made to modify the method of Jouet to incorporate the XML data that control UI presentation as taught by Conley, thus allow the GUI player to dynamically control the GUI presentation (Conley, 0038).

**As for dependent claim 19:**

Jouet shows *The display process apparatus according to claim 18, wherein the display process apparatus modifies said GUI player by updating the conversion rule to another conversion rule* (7: 55-65).

**As for dependent claim 20:**

Jouet shows *The display process apparatus according to claim 19, wherein the display process apparatus further obtains another GUI player and another conversion rule, and updates the conversion rule to said another conversion rule that has been obtained, and modifies said GUI player to said another GUI player, by using the other conversion rule* (8:51-67).

**As for independent claim 22:**

Claim 22 contains similar substantial subject matter as claimed in claim 18, and is respectfully rejected along the same rationale.

**As for independent claim 23:**

Claim 23 contains similar substantial subject matter as claimed in claim 18, and is respectfully rejected along the same rationale.

8. **Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jouet et al., US# 7,030,890 (hereinafter Jouet) in view of Conley et al., US PG PUB# 2003/0011633 A1 (hereinafter Conley), and in further view of Najmi, US# 6,959,340 B1 (hereinafter Najmi).**

**As for dependent claim 21:**

While Jouet and Conley shows a widget that defines the appearance of a plurality of objects, Jouet and Conley do not specifically show the *display process apparatus according to claim 20, wherein the display process apparatus obtains the other GUI player and the other conversion rule via a network*. However in the same field of changing the appearance of a graphical user interface, Najmi teaches a business to business messenger which subscribes to Java Messenger Server. The Java Messenger Server, JMS, is

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a subscription rule. The JMS message contains a format which based upon a subscription rule and a corresponding document template. The JMS modifies the appearance of the graphical user interface (4:2-20). Accordingly it would have been obvious to a skilled artisan at the time of the invention was made to modify the method of Jouet and Conley to incorporate the JMS as taught by Najmi, thus allow the system to obtain a new layout of the GUI over a network (4: 2-25).

9. **It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33,216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).**

The Examiner notes MPEP § 2144.01, that quotes *In re Preda*, 401 F.2d 825,159 USPQ 342, 344 (CCPA 1968) as stating "in considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." Further MPEP 2123, states that "a reference may be relied upon for all that it would have reasonably suggested to one having ordinary skill the art, including nonpreferred embodiments. *Merck & Co. v. Biocraft Laboratories*, 874 F.2d 804, 10 USPQ2d 1843 (Fed. Cir.), cert. denied, 493 U.S. 975 (1989).

#### ***Response to Arguments***

10. Applicant's arguments with respect to claims 18-23 have been considered but are moot in view of the new ground(s) of rejection.

11. Applicants are encouraged to contact the examiner, at the contact information below, if further clarification or explanation is needed. Such communication will expedite prosecution and clarify on going issues. Additionally the Office suggests clarifying the term "GUI player". See cited art with this Office Action.

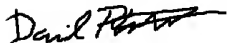
#### ***Conclusion***

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12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Phantana-angkool whose telephone number is 571-272-2673. The examiner can normally be reached on M-F, 9:00-5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 571-272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



DP  
/David Phantana-angkool/  
Examiner, Art Unit 2175